

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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ETHYPHARM S.A. France and )  
ETHYPHARM S.A. Spain, )  
Plaintiffs, ) C.A. No.: 04-1300 (SLR)  
v. )  
BENTLEY PHARMACEUTICALS, INC. )  
Defendant )  
\_\_\_\_\_  
)

**STIPULATION OF DISMISSAL**

WHEREAS, the parties have resolved this litigation as part of a legally binding Settlement Term Sheet Agreement, dated September 29, 2006,

THEREFORE, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), all parties to this action stipulate that this case be dismissed with prejudice and without costs, the parties waiving all rights of appeal.

Dated: November 10, 2006

ETHYPHARM S.A. FRANCE and  
ETHYPHARM S.A. SPAIN  
By their attorneys,

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INC.  
By its attorneys,

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